



10/790 027

CofC

PTO/SB/21 (9-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/790,027
		Filing Date	March 2, 2004
		First Named Inventor	Giordano, et al.
		Art Unit	1616
		Examiner Name	
Total Number of Pages In this Submission	6	Attorney Docket Number	14ME-129033

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 27 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Certificate of Correction Under 37 C.F.R. § 1.323
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT				Certificate
Firm Name	SHEPPARD MULLIN RICHTER & HAMPTON LLP			DEC 09 2008
Signature	/Don J. Pelto Reg. No. 33,754/			
Printed Name	Don J. Pelto			
Date	December 5, 2008	Reg. No.	33,754	of Correction

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioners for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	/Don J. Pelto Reg. No. 33,754/		
Type or Printed Name	Don J. Pelto	Date	December 5, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: 14ME-129033
Patent No.: US 7,390,509 B2
Application No.: 10/790,027
Issued: June 24, 2008
Filed: March 2, 2004
Applicant: Giordano *et al.*
For: Compositions and methods for nutrition supplementation

**REQUEST FOR CERTIFICATE OF
CORRECTION UNDER 37 C.F.R. § 1.323**

Commissioner for Patents
Office of Patent Publication
Attn: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Patentee hereby respectfully requests that the Commissioner issue a Certificate of Correction for the above-captioned patent in accordance with the accompanying Form PTO/SB/44.

Please note the following corrections:

Claim 1, line 2, change "3970" to --2970--.

Claim 2, line 5, change "Vitamin B⁶" to --Vitamin B₆--.

Claim 3, line 3, change "3970" to --2970--.

Each of the corrections is requested to correct recently discovered typographical errors made by the Patentee. With particular reference to the requested correction of 3970 to 2970, Patentee notes that the original claim set filed on March 2, 2002, included claims reciting 2970 IU of Vitamin A. *See, e.g.*, Claims 28, 45, 80, 121, 138, and 173. The typographical error was introduced by the Patentee in its response dated January 25, 2008, in new claims 246 and 249. Further support for the correction to "2970" IU of Vitamin A is found in the specification; for example, paragraphs [0007], [0013] and [0026], stating a range of "about 2430 IU to about 2970 IU" of Vitamin A.

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In the event that any fees are due in connection with this paper, please charge the undersigned's Deposit Account No. 50-1067.

Respectfully submitted,



Don J. Pelto
Reg. No. 33,754

December 5, 2008
Date

SHEPPARD MULLIN RICHTER & HAMPTON
1300 I Street, NW
11th Floor East
Washington, DC 20005
Telephone: 202.772.0000
Facsimile: 202.312.9415

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,390,509 B2

APPLICATION NO.: 10/790,027

ISSUE DATE : June 24, 2008

INVENTOR(S) : John A. Giordano et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

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Claim 1, line 2, change "3970" to --2970--.

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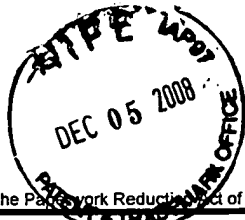
MAILING ADDRESS OF SENDER (Please do not use customer number below):

Sheppard, Mullin, Richter & Hampton LLP
1300 I Street NW, 11th Floor East
Washington, DC 20005

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,390,509 B2

APPLICATION NO.: 10/790,027

ISSUE DATE : June 24, 2008

INVENTOR(S) : John A. Giordano et al.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent No.: US 7,390,509 B2
Application No.: 10/790,027
Issued: June 24, 2008
Filed: March 2, 2004
Applicant: Giordano *et al.*
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Appl. No. 10/361,562
U. S. Patent No. 7,390,509B2

Attorney Dk. No. 14ME-129033

In the event that any fees are due in connection with this paper, please charge the undersigned's Deposit Account No. 50-1067.

Respectfully submitted,



December 5, 2008

Date

Don J. Pelto

Reg. No. 33,754

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